

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

BO ZHANG,
a/k/a "Bryan Zhang,"

Defendant.

COUNT ONE

The United States Attorney charges:

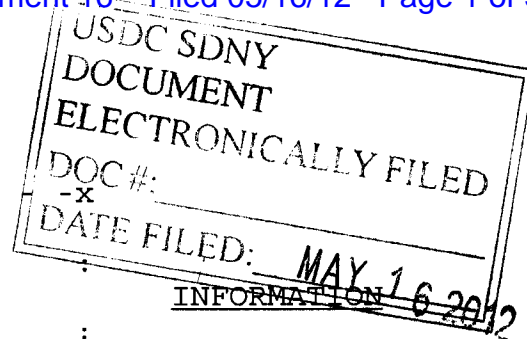
1. In or about July 2011, in the Southern District of New York and elsewhere, BO ZHANG, a/k/a "Bryan Zhang," the defendant, willfully and knowingly, did embezzle, steal, purloin, and convert to his use and the use of others, and without authorization, did sell convey and dispose of records, vouchers, money and things of value of the United States and a department and an agency thereof, the value of which exceeded \$1,000, and did receive, conceal, and retain the same with intent to convert them to his use and gain, knowing them to have been embezzled, stolen, purloined and converted, to wit, ZHANG, a contract employee assigned to the Federal Reserve Bank of New York, stole proprietary software code owned by the United States Department of Treasury.

(Title 18, United States Code, Section 641.)

COUNT TWO

The United States Attorney further charges:

JUDGE GARDEPHE



2. From in or about April 2011 up to and including in or about January 2012, in the Southern District of New York and elsewhere, BO ZHANG, a/k/a "Bryan Zhang," the defendant, willfully and knowingly, did make under oath, and as permitted under penalty of perjury under section 1746 of Title 28, United States Code, did subscribe as true, false statements with respect to material facts in applications, affidavits, and other documents required by the immigration laws and regulations prescribed thereunder, and did present such applications, affidavits, and other documents which contained such false statements and which failed to contain any reasonable basis in law and fact, to wit, ZHANG knowingly and willfully made false statements to immigration authorities in support of others' applications for visas to enter and work in the United States.

(Title 18, United States Code, Sections 1546(a) & 2.)

FORFEITURE ALLEGATIONS

3. As the result of committing the theft of United States property offense alleged in Count One of this Information, BO ZHANG, a/k/a "Bryan Zhang," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to a sum in United States currency

representing the amount of proceeds obtained as a result of the offense.

4. As the result of committing the visa fraud offense in violation of Title 18, United States Code, Section 1546 alleged in Count Two of this Information, BO ZHANG, a/k/a "Bryan Zhang," the defendant, shall forfeit to the United States pursuant to Title 18, United States Code, Section 982(a)(6), all conveyances used in the commission of the violation; all property, real and personal, that constitutes or is derived from or is traceable to proceeds obtained directly or indirectly from the commission of the offense; and all property, real or personal, that was used to facilitate, or was intended to be used to facilitate, the commission of the offense.


Substitute Asset Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of BO ZHANG, a/k/a "Bryan Zhang," the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(6), and Title 28, United States Code, Section 2461, to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C) and 982(a)(6); Title 28, United States Code, Section 2461.)


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INFORMATION

12 Cr.

(18 U.S.C. § 641, 1546.)

PREET BHARARA
United States Attorney.

5/16/12 - Filed Information
Filed Waiver of Indictment.
Judge Katz
U.S.M.J.